That $17B Meta settlement comes with a catch: Your online speech rights

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by FIRE August 28, 2026

Meta **agreed** on Wednesday to pay up to $17.1 billion to settle lawsuits brought by a bipartisan coalition of attorneys general from 47 states and several territories. The lawsuits, which accused the company of harming young people through the design of their speech platforms, relied on untested legal theories that faced serious First Amendment challenges.

Nonetheless, as part of the settlement, Meta agreed to a **series** of design changes for minors, including a two-hour daily limit, mandatory pauses to interrupt scrolling, blackouts between midnight and 6 a.m., the elimination of visible like counts, and more robust age verification tools.

Some are cheering the settlement. But Americans should understand the consequences: These features cannot be implemented without adults having to prove their identity to access protected speech. That could mean document verification, facial recognition, or other invasive hurdles.

Courts have repeatedly **blocked** online age verification laws for social media platforms because forcing people to prove their age before accessing constitutionally protected speech burdens First Amendment rights. On top of that, it's not just adults who have First Amendment rights — kids and teens have **strong First Amendment protections** too.

This settlement effectively gives government officials a backdoor to achieve through litigation what courts have prevented them from achieving through legislation: **the evisceration of anonymous speech rights** on a major platform. Anonymous speech has long been a feature of the free and open internet and of American political discourse since the nation's founding.

Don't be fooled: This is unlikely to stop at Facebook and Instagram.

Meta is already urging TikTok and YouTube to adopt the same standards. It is also **supporting** legislation that would mandate age verification at the app-store level, which would require every user — regardless of age — to prove their age before downloading apps.

The result could be exactly what we have warned against for years: an internet-wide age verification regime. Worse, it would be created through threats of ruinous litigation and closed-door negotiations among some of the world's largest technology companies and powerful government officials.

Protecting minors online is an important goal. We can do it without sacrificing the First Amendment rights of *every* American who wants to speak or access information online.

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